

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 77-100

ENFORCEMENT ORDER FOR ISSUANCE OF A TIME SCHEDULE

Order directing the Estero Municipal Improvement District (hereinafter referred to as the discharger) to comply with requirements prescribed by the California Regional Water Quality Control Board, San Francisco Bay Region in Order No. 74-165, as amended (NPDES Permit No. CA0038105).

The California Regional Water Quality Control Board, San Francisco Bay Region finds that:

1. This Board on December 6, 1974 and July 19, 1977 adopted Order Nos. 74-165 and 77-99 , respectively, prescribing waste discharge requirements including a compliance time schedule for the Estero Municipal Improvement District in accordance with the statutory requirements of the Federal Water Pollution Control Act and the California Water Code. The NPDES permit contains a compliance date of July 1, 1977 for achieving the secondary effluent limitations as required by the Federal Act.
2. The discharger has submitted evidence which documents that the above requirements cannot be achieved due to construction delays in completion of San Mateo's Treatment Plant, which will treat the District's waste.
3. The discharger has submitted a time schedule by which he can achieve the above requirements.
4. The Board has notified the discharger and interested agencies and persons of its intent to adopt a time schedule for compliance.
5. The Board in a public hearing heard and considered all comments pertaining to this discharger's ability to achieve compliance.

IT IS HEREBY ORDERED, that in accordance with Water Code Section 13300, Estero Municipal Improvement District shall comply with provision D.2.a. of Order No. 77-99 according to the following time schedule:

<u>1. Task</u>	<u>Completion Date</u>	<u>Report of Compliance Due</u>
Terminate Bay discharge and intercept waste to the San Mateo treatment plant	January 1, 1978	January 15, 1978

2. This Order expires on March 1, 1978.

This Board declares that it shall not undertake further enforcement action to bring the discharger into compliance with secondary effluent limitations by July 1, 1977 as contained in Order No. 77-99 provided:

- a. The discharger complies fully with all terms of the time schedule contained in this Order;
- b. The discharger complies fully with all terms of the permit with the exception of provision D.2.a.;
- c. Circumstances do not occur which would warrant modification of the permit or time schedule; and
- d. Circumstances do not occur which would warrant an action under Section 504 of the Federal Water Pollution Control Act.

The action taken by this Board pertaining to the time schedule does not preclude the possibility of actions to enforce the permit by third parties pursuant to Section 505 of the Federal Water Pollution Control Act.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on July 19, 1977.

FRED H. DIERKER  
Executive Officer